

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 23735 of 2004

Between:

M/s.M.M.Rocks rep by its Prop B.Madan Mohan
H.No.8-3-828/16, Yellareddyguda,
Hyderabad-500 073.

... PETITIONER

AND

- 1 The Director of Mines And Geology, Hyderabad,
B.R.K.R.Building, 8th Floor,
Tank Bund Road, Hyderabad.
- 2 The Asst.Director of Mines &Gelology
Tekkali, Srikakulam District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or writ one in the nature of Writ of Mandamus, declaring the action of the respondent in not passing orders on the Quarry Lease Application for Black Granite over an extent of 3.00 Hectares for a period of 20 years in Sy.No.230/1 of Kodicherla Village, Kothur Mandal, Mahaboobnagar District, as arbitrary, illegal, unjust and consequently direct the respondents to pass orders granting quarry lease on the application dt 8-04-2004.

Counsel for the Petitioner: SMT.N.SHOBA

Counsel for the Respondents: GP FOR MINES AND GEOLOGY

The Court, at the admission stage, made the following:

ORDER:

This writ petition is filed to declare the action of the respondent in not passing orders on the application of the petitioner dated 08-04-2004 as arbitrary and illegal and to direct the respondents to pass appropriate orders on the said application.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Mines and Geology on behalf of the respondents and with their consent, the writ petition is being disposed of finally at the admission stage.

3. It is stated that the petitioner company applied for a Quarry Lease for quarrying Black Granite over an extent of 3.00 Hectares for a period of 20 years in Sy.No.230/1 of Kodicherla Village, Kothur Mandal, Mahaboobnagar District on 08-04-2004 to the respondents. While so, the second respondent requested the petitioner to attend survey and inspection on 03-08-2004 and the Mandal Revenue Officer issued 'No objection Certificate' stating that the extent of area is covered with rocks and hillocks, and recommended to grant the Mining Lease in favour of the petitioner. It is alleged, even though all the formalities are complied with, respondents have so far not passed any orders on the petitioner's representation dated 08-04-2004.

4. Inasmuch as the representation dated 08-04-2004 filed by the petitioner is pending on the file of the respondents, I deem it appropriate to dispose of the writ petition with a direction to the respondents to consider the said representation made by the petitioner and pass appropriate orders thereon, expeditiously.

The writ petition is accordingly disposed of at the admission stage.

N.V. RAMANA, J

December 21, 2004

MRR/NSR

Copy to:

- 1 The Director of Mines And Geology, Hyderabad
B.R.K.R.Building, 8yh Floor,
Tank Bund Road, Hyderabad.
- 2 The Asst.Director of Mines &Gelology
Tekkali, Srikakulam Dist.
- 3 Two C.C. s to the G.P. for Mines and Geology, High Court Buildings,
Hyderabad (OUT)
- 4 Two C.D. Copies.